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**FOLEY
HOAG** LLP
ATTORNEYS AT LAW



November 6, 2003

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#AF 1600

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Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application No.: 09/166,701
Entitled: *Controlled Release Pharmaceutical Delivery Device and
Process for Preparation Thereof*
Filed: October 5, 1998; By: Odidi et al.
Group Art Unit: 1617; Examiner: Webman, E.
Atty Ref: SMI-005.01

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TECH CENTER 1600/2900

Dear Sir:

Enclosed for filing in the above-referenced patent application, please find the following:

1. Response and Amendment (including Declaration);
2. Entity Status Change
3. Request for a two month extension of time;
4. Check in the amount of \$420.00 for two month extension of time;
5. Notice of Appeal;
6. Check in the amount of \$330.00 for Notice of Appeal; and
7. Return Receipt Postcard.

The Commissioner is hereby authorized to charge any under-payments or credit any over-payments to our Deposit Account No. 06-1448.

Certificate of First Class Mailing	
<p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, with sufficient postage prepaid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below:</p>	<p>Respectfully submitted, FOLEY HOAG LLP</p>
<p>November 6, 2003 Date</p>	<p><i>Michael J. DiVerdi</i> Michael J. DiVerdi, Ph.D. Reg. No. 51,620 Agent for Applicants Customer ID No. 25181</p>
<p><i>Shirine Darvish</i> Shirine Darvish</p>	

20/568193.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Odidi et al.	
Application No: 09/166,701	Confirmation No.: 9051
Filed: October 5, 1998	Art Unit: 1617
For: <i>Controlled Release Pharmaceutical Delivery Device and Process For Preparation Thereof</i>	Examiner: Webman, Edward J.
	Atty. Docket: SMI-005.01

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that the foregoing document is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date of November 6, 2003.


Shirine Darvish

ENTITY STATUS CHANGE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In regards to the above-referenced patent application, Applicants are no longer eligible for the benefits of Small Entity Status. Therefore, pursuant to 37 C.F.R. 1.27(g), Applicants hereby changes entity status from Small to Large.

We believe that we have appropriately provided for fees due in connection with this submission, however, if there are any other fees due in connection with the filing of this paper, please charge the fees or credit any overpayment to our **Deposit Account No. 06-1448**.

Respectfully Submitted,

Date: November 6, 2003

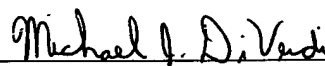
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